

Senate File 2044

SENATE FILE _____
BY BRUNKHORST

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning eligibility requirements for payment of a
2 volunteer emergency services provider death benefit resulting
3 from a heart attack or stroke.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5393SS 80
6 ec/pj/5

PAG LIN

1 1 Section 1. Section 100B.11, subsection 2, paragraph b,
1 2 subparagraph (1), Code Supplement 2003, is amended to read as
1 3 follows:
1 4 (1) (a) The death resulted from stress, strain,
1 5 occupational illness, or a chronic, progressive, or congenital
1 6 illness, including, but not limited to, a disease of the
1 7 heart, lungs, or respiratory system, unless a traumatic
1 8 personal injury was a substantial contributing factor to the
1 9 volunteer emergency services provider's death.
1 10 (b) However, if the death was the direct and proximate
1 11 result of a heart attack or stroke, the volunteer emergency
1 12 services provider shall be presumed to have died as a result
1 13 of a traumatic personal injury if the provider engaged in a
1 14 nonroutine stressful or strenuous physical activity within the
1 15 scope of the provider's duties and the death resulted while
1 16 engaging in that activity, while still on duty after engaging
1 17 in that activity, or not later than twenty-four hours after
1 18 engaging in that activity, and the presumption is not overcome
1 19 by competent medical evidence to the contrary. For purposes
1 20 of this subparagraph subdivision, "nonroutine stressful or
1 21 strenuous physical activity" includes, but is not limited to,
1 22 nonroutine stressful or strenuous physical law enforcement,
1 23 fire suppression, rescue, hazardous material response,
1 24 emergency medical services, prison security, disaster relief,
1 25 emergency response, and training exercise activities.
1 26 "Nonroutine stressful or strenuous physical activity" does not
1 27 include activities of a clerical, administrative, or nonmanual
1 28 nature.
1 29 SF 2044
1 30 ec/cc/26
1 31
1 32
1 33
1 34
1 35